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1. **CONSTITUTIONAL PRINCIPLES**  
2. **THEORY OF GOVERNMENT**  
3. **CONSTITUTIONAL HISTORY**  
4. **CONSTITUTIONAL LAW**

**June 23, 2009**

**VIA FACSIMILE TRANSMISSION  
AND REGULAR MAILING  
(202) 219-3923**

**Dominique Dillenseger, Esq.**  
**Federal Elections Commission**  
**Complaints Examination & Legal Administration**  
**999 E Northwest**  
**Washington, D.C. 20463**

**Re: MUR 6152**

**Dear Ms. Dillenseger:**

**Please be advised that I am responding on behalf of Martin Manna to Complaint MUR 6152. This may be considered our Position Statement and Answer with regard to the above-referenced Complaint. However, nothing contained herein shall be construed as a waiver of any defenses, statutory or common law with regard to the charges made by the Charging Party. You should be aware that the Complaint changes but still does not rise to the level of any violation of law. We will also show that the Complaint lacks merit and we will describe in specificity why that is true later in the letter. But before I get into the factual response, it is important to give you some additional information.**

## PROLOGUE

In my letter of February 18, 2009 to Jess S. Jordan, Supervisory Attorney for the Commission, I outlined the horrific problems that have beset the Christian Community in Iraq. It is because of the atrocities committed by Muslim extremists that has provoked the support for members of Congress who are sympathetic to the plight of our people. One prominent member is Senator Carl Levin, the Senior Senator from Michigan. The other was Joe Knollenberg who had been in the House of Representatives.

Since my letter of February 18, 2009, I would like to describe a situation that occurred recently. Muslim extremists went to the home of a Christian and demanded that he either convert to Islam or leave the country or he and his family would be killed. He begged his attackers to have sympathy because he had three children and he wanted to stay in his home. They refused and out of fear he and his family fled his home and the country immediately.

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**RIVERSIDE, CA • WOODLAND HILLS, CA • ACCRA, GHANA**

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The Muslim extremists then went to his next door neighbor who was given the same demand and threat. He again pleaded with these radicals that he could not possibly leave his home because he had 5 children and did not want to leave or convert to Islam. They demanded, once again, and he refused. So the man was forcibly seized by his attackers, then his wife and children were brought into the room where he was beheaded in front of them.

These atrocities have been occurring with the knowledge of the Iraqi Government and there is awareness by our Military. But the resolve to protect these helpless Christian brothers and sisters have been woefully inadequate.

Chaldeans are a Christian people who settled in the land now known as Iraq centuries ago. Unfortunately, over the years Chaldeans became a tiny Christian minority in a predominantly Muslim nation. As a consequence, since the War in Iraq began, Chaldeans have suffered tremendously, and disproportionately to all other people in Iraq. They have been kidnapped, beaten, tortured, mutilated and murdered. The vast majority of Chaldeans have now been driven out of their native homeland and disturbingly are virtually wiped out of existence in Iraq.

The situation is uncontrolled by the ruling party in Iraq. The United States Government supports the Government of Iraq, however that Country has been either unwilling or unable to protect Chaldeans from these horrific acts. As a consequence, the vast majority of Chaldeans have now become refugees being scattered throughout the world, predominately in other middle-eastern nations. Some have even emigrated to the United States.

This issue and the letter that was sent was not really politically motivated, but dealt with moral and humanitarian issues affecting the Chaldean people. I have surveyed many, many Chaldeans here in Michigan and I have found not even one who does not support the cause of protecting the Chaldeans in Iraq and assisting the plight of those refugees. In our United States Government, there have been two prominent advocates - Senator Carl Levin and Joe Knollenberg. These two men had been working tirelessly in helping to help alleviate the suffering of the Chaldean people.

These two leaders in Congress have better understood the plight of the Chaldeans in Iraq because for almost 50 years the majority of Chaldeans outside of Iraq live in Southeast Michigan, which was the district of Knollenberg and is covered by Senator Levin. As a result, the Chaldean Community has been very supportive of both people. As I indicated earlier, these are not and have not been political considerations. These are serious moral and ethical issues to try and avoid the annihilation of the Chaldean people in Iraq.

This background is very important, and impacts the investigation by the Federal Election Commission because it is well known throughout the Chaldean Community that they were better aware of the plight of the Chaldean people and have been in the best position to advocate for their safety. It is in that context in which the letter "Chaldeans for Congressman Joe Knollenberg" was written.

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### **FACTS**

The Charging Party did not adequately review the facts or investigate the allegations before she made them. This is puzzling in light of the fact that it seems that the Charging Party's son is Brent Plater. Mr. Plater appears to be a visiting Assistant Professor and staff attorney with the Environmental Law and Justice Clinic at Golden Gate University School of Law. Before beginning his teaching career he worked to defeat Richard Pombo (Republican from California) during the 2006 Congressional Election. The Charging Party's son likely drafted the Complaint and the Additional Information. The relevance is not the status of the Charging Party or her son. What is disturbing is that the facts were not researched by the Charging Party and/or her son and the claim is questionable, at best.

As we acknowledged previously, the letter was sent by Martin Manna. It was prepared by him, but its contents were discussed and agreed to by the people who are shown supporting the candidate. Mr. Manna either called or emailed the people from each family that are identified in the letter. Those individuals all gave consent to the letter and its contents.

Please understand, Mr. Manna is a leader of the Chaldean Community. In fact, the people who are identified in the letter myself, Ron & Rita Acho, Frank & Judy Jonna, Basil & Majida Bacall, Robert & Vinos Kassab, Dave & Kholoud Nona, Michael & Najat George, John & Carol Loussia, Michael & Mariann Sarafa, are all regarded as "leaders in the Chaldean Community". They all either hold significant positions of authority and/or responsibility or are well regarded by the Chaldean people. In fact, many more names could have been used but the letter would have been too long.

Further, this letter clearly identifies Mr. Manna's work address from which this letter was sent which was 30095 Northwestern Highway, Suite 102, Farmington Hills, MI 48334. That letter refers to "Chaldeans for Congressman Joe Knollenberg". That is merely a description of people who supported the letter, not any formal or informal group, organization or entity.

The list of people who were sent the letter came from a variety of sources. There are a number of lists of people of Chaldean descent. Some of those lists came from DTE, a business supporting the Chaldean Community, the Chaldean Ladies of Charity, the Chaldean Iraqi Association of Michigan, the Chaldean News, the Chaldean American Chamber of Commerce, as well as other sources. None of the names or lists were paid for in any way, shape or form.

A question that we had researched confirms that the lists compiled by the Chaldean American Chamber of Commerce is free to any member who is a member. The list is not sold to anyone.

Another issue came up with regard to knowledge by the candidate or his committee about the contents of the letter. You should be aware that candidate was specifically advised of the contents of the letter on at least two occasions by Martin Manna, personally, and orally approved the letter. There was no "specific endorsement", but clearly the letter and its contents were supported by the candidate. But there is more than just the approval by candidate.

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Because Mr. Manna had not sent such a letter before, he wanted to be sure that he was acting appropriately so he consulted with Bryce Sandler who was a key campaign committee member to the candidate. Mr. Sandler was identified as the "point" person and liaison person for the candidate's committee. On at least two to three occasions, Mr. Manna advised Mr. Sandler of the contents of the letter and asked whether he had to list any sort of disclaimer or do anything else in order to be sure that there were no issues. Mr. Sandler specifically told Mr. Manna that "there would be no problem". This is something that is crystal clear in Mr. Manna's recollection because of its significance. The conversation may not have been significant to Mr. Sandler, and why he may have little or no recollection. But it is, and was, noteworthy for Mr. Manna. Make no mistake, this letter was coordinated with the candidate and the candidate's committee. Otherwise, it would never have been sent.

Additionally, Mr. Manna advised the committee, through Mr. Sandler, that the letter was being mailed and he sent them a copy via email transmission on Tuesday, October 28, 2008. He also gave an "estimate" of the expenditure which was beyond what was actually spent. The estimate was \$2,000 but the real number is \$740 (\$630 in stamps, \$40 in paper and \$70 in envelopes). . My understanding is that Mr. Manna and his wife together made donations to the candidate that are below the threshold.

The Charging Party also raises an issue that her maiden name was used and she has not gone by her maiden name for a number of years. That argument ignores the reality of what occurs in our community. Many women are known by their maiden name. This is most especially true when a Chaldean woman, such as the Charging Party, marries a non-Chaldean. My own daughter is known as Stephanie Acho by people in the Chaldean Community. Virtually no one knows her married name which is Stephanie Tartoni, even though it is listed as Stephanie Tartoni most everywhere. Chaldeans are listed in directories and women frequently have their maiden names used. The fact that the maiden name of the Charging Party was used has absolutely no relevance or significance in this matter. Lastly, the Charging Party filed an Amendment on or about February 3, 2009. In that addition, she refers to individuals who are mentioned in the letter as being involved in a publication called the Chaldean News. Again, there is absolutely no relevance to that observation, since the Chaldean News was not involved in this letter.

Many of the individuals listed in the letter are involved in many organizations. For instance, Michael J. George is one of the most well respected and honored members of the Chaldean Community. Mr. George is head of the Chaldean Federation of America, as well as sitting on the Boards of approximately 24 different companies and organizations.

Ronald G. Acho, the writer of this Response, is also involved in several significant organizations, both Chaldean and otherwise.

Michael Sarafa has been involved in the Chaldean-Iraqi Association of Michigan and served as its President. He is President of Bank of Michigan, which has a significant ownership interest by Chaldeans. He is also involved in a number of Chaldean organizations. The same can be said of everyone that approved the letter at issue.

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Simply stated, the Charging Party is ill-informed and makes observations that clearly are irrelevant and immaterial. Her suggestion that information provided to the Community should be fair and balanced, as well as in compliance with Federal Election Law. As I indicated earlier, we are dealing with a crisis situation that our Government has not addressed, nor has the Government of Iraq.

The contents of this letter came from numerous conversations, speeches, letters, memo's, emails, and discourse throughout the Chaldean community. The topic of the violence to Chaldeans and the plight of refugees has dominated our Community over the last two years. This letter was a simple communication that has been recited in various places and by various means by many Chaldeans. This letter was fully appropriate, is in violation of no law, and appears to be a political attack on a humanitarian effort. This charge should be dismissed in its entirety.

Should you have any questions or comments, please do not hesitate to contact my office. Thank you for your cooperation and assistance in this matter.

Very truly yours,

CUMMINGS, McCLOREY, DAVIS & ACHO, P.L.C.

  
Ronald G. Acho

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## **Chaldeans for Congressman Joe Knollenberg**

**Dear Chaldean Community Member,**

**Since 1992, Congressman Joe Knollenberg has been an advocate for the Chaldean community.**

**Congressman Joe Knollenberg has consistently been the most reliable member of Congress on issues domestic and international of import to the Chaldean Community. On the plight of refugees, he has spent countless hours working to end the diaspora of Iraqi Christians, to ease their suffering in foreign lands, and to help smooth the pathway for legal entrance into the United States.**

**Joe is foremost among all of Congress in his successful efforts to bring federal funds to the first of its kind in the nation Chaldean Cultural Center – a total of \$400,000 over two years. Because of Joe's help, the center will memorialize the history of the Chaldean Community in Iraq and the United States and continue to tell our story for generations to come.**

**Recently, Joe introduced language in the Foreign Operation Bill requesting the protection of Ethno-Religious Minorities and specifically Chaldeans in Iraq. Joe followed up the language by helping to secure \$10 million in funding for the people of Northern Iraq. This \$10 million dollars will be spent directly on our people in the form of humanitarian assistance, economic development and infrastructure support.**

**Additionally, Joe serves on the newly formed Middle-East Minorities Caucus – established to help protect the vulnerable minorities throughout the Middle East and specifically in Iraq. At a recent congressional hearing with General Petraus and U.S. Ambassador Crocker, Congressman Knollenberg repeatedly asked them about the plight of Iraq's Christians. His persistent questioning put his colleagues and the Bush Administration on notice—in some cases for the first time—as to the severity of the situation. While the hearing was nominally about the progress of the war, Joe took the opportunity to move the issue of Iraqi Chaldeans to the forefront.**

**On issues of the economy and taxes, Joe consistently supports measures designed to help small businesses, create jobs and reduce taxes. He has also been a strong advocate for Detroit's auto and manufacturing industry—an area of work critical to Michigan's turnaround.**

**While Congressman Knollenberg and his staff have been responsive and loyal friends to the Chaldean Community at home and abroad, he more importantly has served this district, his entire constituency and the people of the United States with honesty, integrity, patriotism and dedication.**

**Congressman Knollenberg is a fellow Catholic. Please join us in casting your ballot for Congressman Joe Knollenberg on Tuesday, November 4<sup>th</sup>.**

**Thank you for supporting Congressman Joe Knollenberg,**

**Ron & Rita Aho  
Frank & Judy Jonna  
Martin & Tamara Manna**

**Basil & Majida Bacall  
Robert & Vinos Kaasab  
Dave & Kholoud Nona**

**Michael & Najat George  
John & Carol Loussia  
Michael & Mariann Sarafa**